

REMARKS

Claims 1-10 are all the claims currently pending in this Application.

IDS Issues

The Examiner returns copies of the PTO-SB-08 forms presented with the IDSs of July 26, 2006, September 25, 2006, and March 3, 2009. However, the Examiner has crossed-out a number of references submitted with the July 26, 2006 and September 25, 2006 IDSs.

Regarding the July 26, 2006 IDS, the Examiner asserts that no concise explanation of relevance was presented for these references under 37 C.F.R. § 1.56. Applicants note that the text of the July 26, 2006 IDS clearly explained that each of these references (JP '085; Quartz Glass Technical Guide-2; and Quartz Glass Technical Guide-1) are described in the background section of the Application. However, Applicants file herewith a supplemental IDS along with a computer English translation of the JP '085 reference, obtained from the JPO website. Regarding the Quartz Glass Technical Guide-2; and Quartz Glass Technical Guide-1 references, Applicants note that these references were also listed in the September 25, 2006 IDS and copies were submitted along with English translations with the September 25, 2006 IDS. Additional copies of these references and English translations are also provided with the current supplemental IDS.

Regarding the September 25, 2006 IDS, the Examiner asserts that the cited references (all non-patent literature documents) are not sufficiently cited and identified. Applicants submit that the supplemental IDS submitted herewith precisely cites each of these references. Additional copies of these references and English translations, were appropriate, are also provided.

Applicants respectfully request that the Examiner consider the references listed in the supplemental IDS and provide a duly signed and initialed copy of the attached PTO form.

Objections — Title

The Examiner objects to the title of the application as allegedly non-descriptive. With this Amendment, Applicants amend the title, as shown, and respectfully request that the objection thereto be reconsidered and withdrawn.

Objections — Claims

The claims are objected to as improperly numbered. Applicants note that the Application was originally filed with claims 1-8, and that two new claims were added with the Preliminary Amendment filed October 3, 2006. As noted in the Notice of Non-Compliant Amendment of February 23, 2009, claim 9 was missing in the Preliminary Amendment. In other words, the two new claims were mistakenly labeled claim 10 and claim 11, when they should have been labeled claim 9 and claim 10. Therefore, the Response to Notice of Non-Compliant Amendment was appropriately filed on March 25, 2009 correcting the error by properly labeling the new claims as claim 9 and claim 10.

Therefore, Applicants submit to the Examiner that the current claims 1-10, as examined by the Examiner, are properly numbered and respectfully request that the objection to the claims be reconsidered and withdrawn.

35 U.S.C. § 103(a)

Claims 1-10 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Ohira (U.S. publication 2003/0228103) in view of Kahn (U.S. Patent 7,194,155).

Applicants note that Kahn issued on March 20, 2007, *after* the PCT filing of the present Application on January 26, 2005. The U.S. utility filing of Kahn was August 10, 2005, which is also *after* the PCT filing of the present Application on January 26, 2005. Kahn claims domestic benefit from a provisional Application filed August 10, 2004. Therefore, based on this

provisional Application, Kahn is available as a prior art reference under 35 U.S.C. § 102(e). However, the present Application claims priority from JP 2004-018512, filed on January 27, 2004, which is *before* the provisional filing date of Kahn.

Therefore, Applicants file herewith a certified English translation of the priority document JP 2004-018512, thus perfecting Applicants' claim to priority and removing Kahn as a prior art reference against the present application.

In view of the removal of Kahn as a prior art reference, Applicants submit that the §103(a) rejection relying on the Kahn reference cannot stand and respectfully request that the rejection be withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,


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